

CHAP. 100.—An Act Granting the consent of Congress to the Cairo Bridge and Terminal Company to construct, maintain, and operate bridges across the Mississippi and Ohio Rivers at Cairo, Illinois.

April 2, 1926.
[H. R. 9007.]
[Public, No. 87.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Cairo Bridge and Terminal Company, its successors and assigns, to construct, maintain, and operate two highway or combined highway and railway bridges and approaches thereto; one across the Mississippi River at a point suitable for connecting the city of Cairo, Illinois, with State Highway Numbered 16 in the State of Missouri, and the other bridge to be located over the Ohio River at a point suitable for connecting the city of Cairo, Illinois, with the gravel highway from Wickliff to Paducah, in the State of Kentucky, and each of said bridges shall be located at a point suitable to the interests of navigation, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this Act. The construction of such bridge or bridges shall not be commenced, nor shall any alteration in such bridge or bridges be made either before or after their completion, until the plans and specifications for such construction or alteration have been submitted to the Secretary of War and the Chief of Engineers and approved by them as being adequate from the standpoint of the volume and weight of traffic which will pass over it.

Mississippi and Ohio Rivers.
Cairo Bridge and Terminal Company may bridge, from Cairo, Ill.

Locations.

Construction.
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Approval of traffic capacity required.

SEC. 2. There is hereby conferred upon the said Cairo Bridge and Terminal Company, its successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, appropriate, occupy, possess, and use real estate and other property needed for the location, construction, operation, or maintenance of such bridges, approaches, bridge terminals, works, and appurtenances as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such land and property is situated, upon making proper compensation therefor, to be ascertained according to the laws of such State, and the proceedings therefor may be the same as in the condemnation or appropriation of property for railroads, or for bridges in such State.

Right to condemn real estate for location, etc

SEC. 3. The said Cairo Bridge and Terminal Company, its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge or bridges and the rates so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in such Act of March 23, 1906.

Tolls authorized.

SEC. 4. After the date of completion of such bridge or bridges, as determined by the Secretary of War, either the State of Kentucky, the State of Illinois, the State of Missouri, or any political subdivision of either of such States, within or adjoining which such bridge or bridges is or are located, or any two or more of them jointly, may at any time acquire and take over all right, title and interest in such bridge or bridges and approaches, and interests in real property necessary therefor, by purchase, or by condemnation in accordance with the law of either of such States governing the acquisition of private property for public purposes by condemnation. If at any time after the expiration of twenty years after the completion of such bridge or bridges they are acquired by condemnation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual

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Acquisition, after completion, by Kentucky, Illinois, Missouri, etc.

Determination of compensation if acquired by condemnation.

Limitation.

cost of constructing such bridge or bridges and approaches, less a reasonable deduction for actual depreciation in respect of such bridge or bridges and approaches, (2) the actual cost of acquiring such interests in real property, (3) actual financing and promotion costs (not to exceed 10 per centum of the sum of the cost of construction of such bridge or bridges and approaches and the acquisition of such interests in real property), and (4) actual expenditures for necessary improvements.

Sworn statement of construction cost, etc., to be filed after completion.

Investigation by Secretary of War.

Findings of Secretary conclusive.

Tolls under State, etc., operation.

Rates applied to operation, return of original cost, and sinking fund.

Maintenance as free bridge, etc., subsequently.

Authority for sale, etc.

Amendment.

SEC. 5. The said Cairo Bridge and Terminal Company, its successors and assigns, shall, immediately after the completion of such bridge, file with the Secretary of War a sworn itemized statement showing the actual original cost of constructing such bridge or bridges and approaches, including the actual cost of acquiring interests in real property and actual financing and promotion costs. Within three years after the completion of such bridge or bridges, the Secretary of War shall investigate the actual cost of such bridge or bridges, and for such purpose the said Cairo Bridge and Terminal Company, its successors and assigns, shall make available to the Secretary of War all of its records in connection with the financing and construction thereof. The findings of the Secretary of War as to such original cost shall be conclusive.

SEC. 6. If such bridges or either of them shall be taken over and acquired by the States or political subdivisions thereof under the provisions of section 4 of this Act, the same may thereafter be operated as toll bridges; in fixing the rates of toll to be charged for the use of such bridges, the same shall be so adjusted as to provide as far as possible a sufficient fund to pay for the cost of maintaining, repairing, and operating the bridge and its approaches, to pay an adequate return on the cost thereof, and to provide a sinking fund sufficient to amortize the cost thereof within a period of not to exceed thirty years from the date of acquiring the same. After a sinking fund sufficient to pay the cost of acquiring such bridge and its approaches shall have been provided, the bridge shall thereafter be maintained and operated free of tolls or the rates of toll shall be so adjusted as to provide a fund not to exceed the amount necessary for the proper care, repair, maintenance, and operation of the bridge and its approaches.

SEC. 7. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to the said Cairo Bridge and Terminal Company, its successors and assigns, and any corporation to which such right, powers, and privileges may be sold, assigned, or transferred, or which shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation.

SEC. 8. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, April 2, 1926.

April 2, 1926.
[H. R. 9599.]
[Public No. 88.]

Ohio River,
Louisville, Ky., may
bridge.

CHAP. 101.—An Act Granting the consent of Congress to the city of Louisville, Kentucky, to construct a bridge across the Ohio River at or near said city.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the city of Louisville, Kentucky, or to any board or boards, commission or commissions, which may be duly created or established for the purpose, to construct, maintain, and operate a highway or combined highway and railway bridge